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AF/S FOR MALONEY

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SUBJECT: ADDRESSING LABOR EFFECTS OF HIV/AIDS

1. (U) Summary: HIV/AIDS is slowing economic growth in Botswana by an estimated 1.5 percent per year, in part through its impact on labor - decreased productivity, increased leave taking, and lost workers. In order better to quantify this drag on growth, the GOB has begun to collect data on the labor impacts of HIV/AIDS in the public sector. To mitigate the economic costs of the disease, the GOB is developing a national policy on HIV/AIDS and employment. USG assistance, through USDOL and PEPFAR, is helping Botswana manage the labor-related consequences of HIV/AIDS to minimize the economic losses occasioned by this epidemic. More and better data on HIV/AIDS' workforce impact will enable donors and policy to develop strategies to ensure that economic growth continues despite a high HIV prevalence rate. End Summary.

HIV/AIDS IMPACTS ON CIVIL SERVANTS

2. (U) In May 2005, the National AIDS Coordinating Agency (NACA) released a report reflecting the impact HIV/AIDS had on the public sector workforce during the first quarter of 2005. Dr. Boga Fidzani, who is overseeing this data collection and analysis at NACA, told PolOff that the report was the first in a planned series that will enable the GOB to monitor labor impacts of HIV/AIDS as well as the success of interventions designed to limit its spread and mitigate its impacts. The report measured, among other things, deaths per thousand employees, sick leave taken and other leave taken.

3. (U) Dr. Fidzani readily admitted that the data on which the report was based were yet not reliable. Ministries had been lax about entering information on leaving taking and deaths among their workers into a government-wide database on a consistent and timely basis. Consequently, it would not be advisable to draw conclusions from the statistics contained in this initial report. Thanks, however, to a public admonition by President Mogae to the Permanent Secretaries, the senior-most civil servants in the Government, to improve their reporting, Dr. Fidzani had received a number of calls seeking details about the report and how to access the database. With the sustained commitment of the Permanent Secretaries, the quality of data used in the report is

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likely to improve considerably, making it a useful analytical tool.

LABOR EFFECTS OF AIDS IN PRIVATE SECTOR

4. (U) In 1998, UNDP commissioned a study on the macro-economic impacts of HIV/AIDS. Released in 2000, the study estimated that HIV/AIDS likely would slow economic growth by 1.5 percent, decrease by 8 percent house-hold level per capita income, and increase by 5 percent the number of people living poverty. As skilled workers died from disease, the study estimated, a shortage of skilled labor would drive up the cost of skilled wages by 12 to 17 percent. In June 2005, the UNDP tendered a request for proposals to conduct two separate studies on the macro-economic and demographic impacts of HIV/AIDS to update the 2000 estimates. According to Lydia Matebesi of UNDP, the organization hopes to have completed studies by the end of the year.

5. (U) In a conversation with PolOff on June 16, Jeffrey Makgolo at the Botswana Business Coalition on AIDS (BBCA), the HIV/AIDS branch of the Botswana Confederation of Commerce, Industry and Manpower (BOCCIM), lamented the absence of a similar mechanism within the private sector. Makgolo affirmed that employers generally recognize that AIDS has a negative effect on their ability to do business. Few companies, however, have the resources to collect productivity-related data in order to quantify this effect. Makgolo agreed that by keeping such data, the private sector could help to shape public policy and guide HIV/AIDS interventions in order to minimize setbacks to economic growth and development. He noted, however, that the BBKA as an institution was quite young, established in 2004, and was struggling to meet its mandate as it was.

16. (U) Makgolo pointed out that, according to the most recent Botswana AIDS Impact Survey, awareness of the disease was much more common than participation in testing and treatment programs. He reasoned that the absence of clearly-articulated policies regarding HIV/AIDS in local firms discourages employees from testing and, if positive, seeking treatment. Uncertainty over whether an employer is likely to fire someone who becomes infected with the disease forces workers to choose between keeping a job and knowing one's status. Many choose not to risk losing their employment by testing or openly participating in a treatment program. In order to alter this dynamic, the BBKA is holding workshops, with the support of PEPFAR monies, to familiarize managers with the value of developing a firm-level HIV/AIDS policy and how to do so.

GOB FORMULATING POLICY ON HIV/AIDS AND EMPLOYMENT

17. (U) At the insistence of President Mogae, the Ministry of Labor and Home Affairs (MLHA) has expedited the process of developing a national policy on HIV/AIDS and employment. With the assistance of the national coordinator of the HIV/AIDS Workplace Education Program, the MLHA and stakeholders from labor, government, the private sector and NGOs have prepared a draft policy. Milikani Ndaba of the Botswana Network on Ethics and Law and Patrick Chengeta of the Botswana Federation of Trade Unions confirmed to PolOff that NGOs and organized labor played an integral role in developing the draft policy. It lays out principles and standards of conduct relating to equal employment opportunities, reasonable accommodation of ill workers, testing, confidentiality, and access to care and treatment.

18. (U) According to Kushata Mosienyane, HIV/AIDS Coordinator at the Ministry of Labour and Home Affairs, two fundamental disputes arose among the stakeholders during the drafting of the text. A number of participants, including some government officials, balked at the policy's proscription of pre-employment testing for citizens of Botswana. Some Government representatives explained that the GOB had encountered major expenses when expatriates it had hired became ill and/or died due to an AIDS-related illness. Objections that this could be addressed through other means, such as compulsory health insurance, notwithstanding the National AIDS Council, chaired by President Mogae, agreed to let stand this exception to the rule against pre-employment testing.

19. (U) The second major difference arose over reasonable accommodation and disclosure. Employers argued that they could only accommodate an employee's health needs by altering his or her duties if they knew the nature of the illness that necessitated such an adjustment. NGOs and workers countered that such disclosure is not necessary and would violate international ethical standards. The National AIDS Council endorsed the draft text which protects confidentiality even in cases where reasonable accommodation is required.

110. (U) Marianyana Selelo, ILO National Coordinator for the HIV/AIDS Workplace Education Program, told PolOff on June 17 that the draft policy must be reviewed by the Minister of Labor and Home Affairs, after which it will be circulated among the various ministries before Cabinet finally approves it. She expected that a final policy would emerge before the end of the year. That document would then become the basis for developing legislation relating to HIV/AIDS and employment.

TRANSLATING POLICY INTO REALITY

111. (U) As BBKA's Mr. Makgolo reminded PolOff, after all the consultation and consensus building to craft a national policy, it will remain a non-binding document. Until Parliament passes legislation based upon the provisions of that policy, the GOB, donors and NGOs will have to persuade employers of the need to adhere to its provisions.

112. (U) Translating policy into reality will be especially difficult in the agricultural sector. Farms and farm workers are dispersed over large and remote areas. Moreover, farmers historically have been reluctant to grant access to their property to allow NGOs to assist their employees. The HIV/AIDS Coordinator in rural Ghanzi District told PolOff on June 23 that farmers are now beginning to voluntarily bring their workers in for HIV/AIDS testing, suggesting a growing recognition among farm owners that the epidemic will impact their lifestyles and livelihoods. Given the murky status of the rights of farm workers, much remains to be done to protect their rights vis--vis HIV/AIDS.

COMMENT

13. (U) Thanks to programs like PEPFAR, the most urgent needs in the war against HIV/AIDS, expanding access to prevention and treatment programs, are beginning to be met. As the number of lives saved increases, the GOB and its partners must devote attention to ensuring the survival of Botswana's economy. In order to develop the appropriate policies to facilitate sustained economic growth despite a high HIV prevalence rate, policy makers will need more reliable data about the impacts of HIV/AIDS and various prevention and treatment programs on the labor force. USG assistance already is helping the GOB manage some of the labor-related challenges of HIV/AIDS. Mission will encourage the private sector to recognize that its own interests would be served by the development of a mechanism for generating reliable data on the labor effects of HIV/AIDS.

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